
SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 597
by Senator Appel

1 AMENDMENT NO. 1

2 On page 1, at the beginning of line 2, after "To" and before "R.S." insert "amend and
3 reenact"

4 AMENDMENT NO. 2

5 On page 1, at the end of line 2, change "(2), 3983(A)(3)(a)," to "(2) and (B),
6 3983(A)(2)(a)(i), (3)(a), and"

7 AMENDMENT NO. 3

8 On page 1, line 4, after "paragraph)" change "and (c)," to "and (c) and (4)(a),"

9 AMENDMENT NO. 4

10 On page 1, line 6, after "3973(2)(b)(vi)" delete the comma "," and change "(7), and (8)," to
11 "and (7),"

12 AMENDMENT NO. 5

13 On page 1, line 7, after "3982(A)(3)" delete the remainder of the line and insert "
14 3983(A)(2)(a)(iii) and (d) and (3)(d) and (E)(3), 3992(D), and Part VII of" and on line 9,
15 change "17:4002 through 4007" to "17:4002.1 through 4002.6"

16 AMENDMENT NO. 6

17 On page 2, at the end of line 24, change "(2)," to "(2) and (B),"

18 AMENDMENT NO. 7

19 On page 2, at the beginning of line 25, change "3983(A)(3)(a)," to "3983(A)(2)(a)(i), (3)(a),
20 and"

21 AMENDMENT NO. 8

22 On page 2, line 26, after "3995(A)(1)(introductory paragraph)" change "and (c)," to "and (c)
23 and (4)(a),"

24 AMENDMENT NO. 9

25 On page 2, line 28, after "3973(2)(b)(vi)" delete the comma "," and change "(7), and (8),"
26 to "and (7),"

27 AMENDMENT NO. 10

28 On page 2, line 29, after "3982(A)(3)" delete the remainder of the line and insert "
29 3983(A)(2)(a)(iii) and (d) and (3)(d) and (E)(3), 3992(D), and Part VII of Chapter 42" and
30 on page 3, line 1, change "R.S. 17:4002 through 4007" to "R.S. 17:4002.1 through 4002.6"

31 AMENDMENT NO. 11

32 On page 3, line 7, after "**public school**" and before "**shall**" delete "**or public charter school**"

1 AMENDMENT NO. 12

2 On page 3, line 12, and on page 4, lines 3 and 4, change "**at least fifty-one**" to "**more than**
3 **fifty**"

4 AMENDMENT NO. 13

5 On page 4, at the end of line 8, delete "**is fewer**" and at the beginning of line 9, delete "**than**
6 **the fifty-one percent required**" and insert "**does not represent more than fifty percent**
7 **of the students attending the school**"

8 AMENDMENT NO. 14

9 On page 5, line 24, after "**agreements with**" delete the remainder of the line, delete line 25,
10 and insert "**chartering groups.**"

11 AMENDMENT NO. 15

12 On page 6, delete lines 7 through 9

13 AMENDMENT NO. 16

14 On page 6, line 28, after "**state.**" delete the remainder of the line and delete line 29 and on
15 page 7, delete lines 1 and 2, and insert "**The application shall allow a potential chartering**
16 **group to propose any number of charter schools through a single application.**"

17 AMENDMENT NO. 17

18 On page 7, line 3, change "**charter operators**" to "**chartering groups**"

19 AMENDMENT NO. 18

20 On page 7, at the end of line 5, delete "**Industry Based**" and at the beginning of line 6,
21 delete "**Certifications,**" and insert "**industry-based certifications,**"

22 AMENDMENT NO. 19

23 On page 7, line 23, after "**assets**" and before "**as**" insert "**net of liabilities**"

24 AMENDMENT NO. 20

25 On page 8, line 1, after "**and**" and before "**the**" change "**ensures**" to "**assures**"

26 AMENDMENT NO. 21

27 On page 8, line 9, after "**Certify**" and before "**than**" change "**fewer**" to "**not more**"

28 AMENDMENT NO. 22

29 On page 8, line 10, change "**Regional Labor Market Area,**" to "**regional labor market**
30 **area,**"

31 AMENDMENT NO. 23

32 On page 8, line 16, after "**(6)**" delete "**The state board shall monitor**" and insert "**Monitor**"

33 AMENDMENT NO. 24

34 On page 8, at the beginning of line 28, change "**C.**" to "**C.(1)**"

35 AMENDMENT NO. 25

36 On page 8, line 29, after "**thereof**" delete the comma ","

1 AMENDMENT NO. 26

2 On page 9, at the beginning of line 7, change "D." to "(2)"

3 AMENDMENT NO. 27

4 On page 9, at the beginning of line 9, after "thereof" delete the comma ","

5 AMENDMENT NO. 28

6 On page 9, line 10, between "the transfer" and "the charter" insert "of"

7 AMENDMENT NO. 29

8 On page 9, at the beginning of line 13, change "E." to "D."

9 AMENDMENT NO. 30

10 On page 9, line 20, after "years." delete the remainder of the line and delete lines 21 and 22,
11 and insert the following:

12 "E. If the average performance of the charter schools authorized by the
13 local charter authorizer is a letter grade of "C" or any variation thereof after
14 any three year review, the local charter authorizer may not authorize any
15 additional schools until the average performance of those schools is a letter
16 grade of "A" or "B" or any variation thereof. If the average performance of
17 the charter schools authorized by the local charter authorizer is a letter grade
18 of "D" or "F" or any variation thereof after any three year review, the state
19 board shall cancel the local charter authorizer's certification and provide for
20 the transfer of those schools to the state board as Type 2 or Type 5 charter
21 schools."

22 AMENDMENT NO. 31

23 On page 9, delete line 23, and insert "F. The state board may rescind a charter"

24 AMENDMENT NO. 32

25 On page 9, at the end of line 24, delete "charter" and on line 25, delete "operator should"
26 and insert "chartering group if"

27 AMENDMENT NO. 33

28 On page 9, line 25, after "state board" change "find" to "finds"

29 AMENDMENT NO. 34

30 On page 10, line 1, after "Authorizers" delete the comma ","

31 AMENDMENT NO. 35

32 On page 11, delete lines 12 through 22 and insert the following:

33 "(3) If a charter applicant believes that a local charter authorizer has
34 not complied with Paragraphs (1) and (2) of this Subsection in its evaluation of
35 an application, the charter applicant may submit its proposal to the state board
36 for its review and approval as a Type 2 charter. If the state board determines
37 that the local charter authorizer failed to comply with Paragraphs (1) and (2)
38 of this Subsection, it shall notify the local charter authorizer of that
39 determination and may proceed with its own review of the charter application.
40 The state board shall review each proposal "

1 AMENDMENT NO. 36

2 On page 13, delete lines 13 through 20 and insert the following:

3 **"(3) If a charter applicant believes that a local school board has not**
4 **complied with Paragraphs (1) and (2) of this Subsection in its evaluation of an**
5 **application, the charter applicant may submit its proposal to the state board for**
6 **its review and approval as a Type 2 charter. If the state board determines that**
7 **the school board failed to comply with Paragraphs (1) and (2) of this Subsection,**
8 **it shall notify the school board of that determination and may proceed with its**
9 **own review of the charter application. The"**

10 AMENDMENT NO. 37

11 On page 13, delete lines 24 through 29, and insert the following:

12 "B. Local school boards shall make available to chartering groups any vacant
13 school facilities or any facility slated to be vacant for lease or purchase up to fair
14 market value. In the case of a **Type 1B or a** Type 2 charter school created as a result
15 of a conversion, the facility and all property within the existing school shall be made
16 available to that chartering group. In return for the use of the facility and its
17 contents, the chartering group shall pay a proportionate share of the local school
18 board's bonded indebtedness to be calculated in the same manner as set forth in R.S.
19 17:1990(C)(2)(a)(i). If such facilities were constructed at no cost to the local school
20 board, then such facilities, including all equipment, books, instructional materials,
21 and furniture within such facilities, shall be provided to the charter school at no
22 cost."

23 AMENDMENT NO. 38

24 On page 14, delete line 5 and insert the following:

25 "(2)(a)(i) Each proposal for a Type 1 or Type 3 charter school shall first be
26 made to the local school board with jurisdiction where the school is to be located,
27 except ~~in the case of a local system in academic crisis as provided for in Item (ii)~~
28 **Items (ii) or (iii)** of this Subparagraph, ~~involving the submission of~~ **by submitting**
29 a written proposal. If, after review as required by R.S. 17:3982, the local school
30 board denies the proposal, or if conditions placed on the proposal by the local school
31 board, as provided in Paragraph (B)(2) of this Section, are not acceptable to ~~those~~
32 **proposing the charter the chartering group**, then a proposal for a Type 2 charter
33 school may be made to the ~~State Board of Elementary and Secondary Education~~
34 **state board**.

35 * * *

36 **(iii) If the local school system in which a chartering group intends to**
37 **apply to operate a school has received a letter grade designation of "D" or "F"**
38 **or any variation thereof, then a proposal for a Type 2 charter school may be**
39 **made to the state board.**

40 AMENDMENT NO. 39

41 On page 14, line 8, after "**required by**" change "**R.S. 17:3982.1,**" to "**R.S. 17:3981.2,**"

42 AMENDMENT NO. 40

43 On page 14, line 22, after "**qualified**" change "**charter operators**" to "**chartering groups**"

44 AMENDMENT NO. 41

45 On page 14, line 24, after "**performance of**" change "**charter operators**" to "**chartering**
46 **groups**"

1 AMENDMENT NO. 42

2 On page 14, line 26, after "(ii)" change "Charter operators" to "Chartering groups"

3 AMENDMENT NO. 43

4 On page 14, delete lines 27 through 29 and on page 15, delete lines 1 through 5 and insert
5 the following:

6 "(i) of this Subparagraph are eligible to apply for and be granted
7 approval of multiple charter agreements through a single application.
8 However, even if multiple charter agreements are approved pursuant to a single
9 application, the chartering group shall open only one school at a time. Only
10 after each such school meets specified performance targets, as determined by
11 the chartering authority, may the chartering group open a subsequently
12 approved school."

13 AMENDMENT NO. 44

14 On page 15, line 22, after "17:3981(4)" delete the remainder of the line and insert "**17:**
15 **3981.2(A)(1)(a), or 3982(A)(1)(a)(i), as applicable.**"

16 AMENDMENT NO. 45

17 On page 15, line 24, after "to the" delete the remainder of the line and on line 25, delete
18 "**authorizer, or state board.**" and insert "**chartering authority.**"

19 AMENDMENT NO. 46

20 On page 16, line 12, between "**board**" and "**to provide**" insert "**or local charter authorizer**"

21 AMENDMENT NO. 47

22 On page 16, line 22, after "**held in the**" change "**general**" to "**geographic**"

23 AMENDMENT NO. 48

24 On page 16, between lines 24 and 25, insert the following:

25 "E.
26 * * *

27 AMENDMENT NO. 49

28 On page 16, delete lines 28 and 29, and on page 17, delete lines 1 through 3

29 AMENDMENT NO. 50

30 On page 17, line 18, between "mission." and "No" insert "**Any school which was chartered**
31 **prior to July 1, 2012, and which incorporated achievement of a certain academic record**
32 **as part of its admission requirements may continue to utilize such admission**
33 **requirements.**"

34 AMENDMENT NO. 51

35 On page 17, line 21, after "(13)" delete "Manner in which" and insert "**Assurance that**"

36 AMENDMENT NO. 52

37 On page 18, delete line 13

38 AMENDMENT NO. 53

39 On page 18, at the beginning of line 14, insert "**Employ instructional staff who**"

1 AMENDMENT NO. 54

2 On page 18, line 14, between "and" and "shall be" insert "who"

3 AMENDMENT NO. 55

4 On page 19, line 14, change "H.(1)" to "H." and between "1," and "2," insert "1B,"

5 AMENDMENT NO. 56

6 On page 19, line 17, between "1," and "2," insert "**1B,**"

7 AMENDMENT NO. 57

8 On page 19, line 19, between "authority." and "Charter" insert "Assets that become the
9 property of a local charter authorizer pursuant to this Subsection shall be used solely
10 for purposes of operating charter schools."

11 AMENDMENT NO. 58

12 On page 19, line 21, delete "organization" and insert "**group**"

13 AMENDMENT NO. 59

14 On page 19, delete lines 22 through 28

15 AMENDMENT NO. 60

16 On page 20, line 7, after "**The**" and before "**charter**" delete "**initial five-year**"

17 AMENDMENT NO. 61

18 On page 20, line 21, between "which has"and "met the" insert "received a letter grade
19 designation of "A" or "B" or any variation thereof and has"

20 AMENDMENT NO. 62

21 On page 20, line 28, change "charter operator" to "chartering group"

22 AMENDMENT NO. 63

23 On page 21, at the beginning of line 1, change "Section" to "Subsection"

24 AMENDMENT NO. 64

25 On page 21, at the end of line 4, delete "**charter**" and at the beginning of line 5 delete
26 "**operator**" and insert "**chartering group**"

27 AMENDMENT NO. 65

28 On page 21, between lines 5 and 6, insert the following:

29 " * *

30 AMENDMENT NO. 66

31 On page 21, line 7, after "A.(1)" delete "Except as otherwise provided by this Subsection,"
32 for" and insert "**For**"

33 AMENDMENT NO. 67

34 On page 21, line 11, after "charter school." delete the remainder of the line and on line 12,
35 delete "provided by this Subsection,"

1 AMENDMENT NO. 68

2 On page 21, line 17, after "formula." delete the remainder of the line and on line 18, delete
3 "two percent of the per pupil amount for administrative purposes."

4 AMENDMENT NO. 69

5 On page 22, between lines 1 and 2, insert the following:

"(4)(a) A chartering authority The state board, a local school board, and a local charter authorizer may annually charge each charter school it authorizes a fee in an amount equal to two percent of the total per pupil amount as defined by this Subsection that is received by a charter school for administrative overhead costs incurred by the chartering authority for considering the charter application and any amendment thereto, providing monitoring and oversight of the school, collecting and analyzing data of the school, and for reporting on school performance. Such fee amount shall be withheld from the per pupil amount in monthly increments and shall not be applicable to any federal money or grants received by the charter school. Administrative overhead costs shall not include any cost incurred by the chartering authority to provide purchased services to the charter school. As provided by Subparagraph (b) of this Paragraph, a chartering authority or the Recovery School District, if applicable, may provide other services for a charter school and charge the actual cost of providing such services, but no such arrangement shall be required as a condition for authorizing the charter school.

22 AMENDMENT NO. 70

23 On page 24, between lines 27 and 28, insert:

24 " * *

25 AMENDMENT NO. 71

26 On page 25, line 20, after "**by**" and before "**course**" delete "**per**"

27 AMENDMENT NO. 72

28 On page 25, line 28, after "**to**" and before "**low-performing**" change "**those students**
29 **enrolled at**" to "**students enrolled in**"

30 AMENDMENT NO. 73

31 On page 26, between lines 8 and 9, insert the following:

"(1) "Course provider" means an entity that offers individual courses in person or online, including but not limited to online or virtual education providers, postsecondary education institutions, and corporations that offer vocational or technical course work in their field, and have been authorized to provide such courses by the state board."

37 AMENDMENT NO. 74

38 On page 26, at the beginning of line 9, change "(1)" to "(2)"

39 AMENDMENT NO. 75

40 On page 26, delete line 16 in its entirety

41 AMENDMENT NO. 76

42 On page 26, line at the beginning of line 17, change "(d)" to "(c)"

1 AMENDMENT NO. 77

2 On page 26, at the beginning of line 19, change "(2)" to "(3)"

3 AMENDMENT NO. 78

4 On page 26, between lines 25 and 26, insert the following:

5 **"(c) Is enrolled in a home study program approved by the state board."**

6 AMENDMENT NO. 79

7 On page 26, delete lines 26 through 29 and on page 27, delete line 1

8 AMENDMENT NO. 80

9 On page 27, line 4, after "to" and before "course" delete "per"

10 AMENDMENT NO. 81

11 On page 27, line 18, change "17:4004(1)(c)." to "17:4002.3(2)(c)."

12 AMENDMENT NO. 82

13 On page 27, line 19, after "the" and before "course" delete "per"

14 AMENDMENT NO. 83

15 On page 27, line 22, after "requirements" and before "R.S." change "provided in" to "of"

16 AMENDMENT NO. 84

17 On page 27, line 28, after "system" and before "in" delete "or other school"

18 AMENDMENT NO. 85

19 On page 28, line 4, delete "student achievement" and insert "academic"

20 AMENDMENT NO. 86

21 On page 29, line 2, after "school" and before "shall" change "system" to "board"

22 AMENDMENT NO. 87

23 On page 29, line 3, after "each" delete the remainder of the line and delete lines 4 through
24 17 and insert:

25 **"student identified in R.S. 17:4002.3(2)(a), (2)(b), and (3)(a) the following shall**
26 **apply:**

27 **(a) Credits earned through the course provider shall appear on each**
28 **such student's official transcript and count fully towards the requirements of**
29 **any approved Louisiana diploma.**

30 **(b) Tests required pursuant to R.S. 17:24.4 shall be administered to each**
31 **such student attending a public school.**

32 **(c) All services to which each such student attending public school would**
33 **be entitled if attending the school in which he is enrolled full time for all**
34 **courses, including but not limited to special education services pursuant to the**
35 **student's Individual Education Plan shall be provided."**

36 AMENDMENT NO. 88

37 On page 29, line 27, change "However, these test scores also" to "The test scores"

1 AMENDMENT NO. 89

2 On page 30, delete lines 1 through 4 in their entirety and insert the following:

3 **"E. Each student identified in R.S. 17:4002.3(2)(a), (2)(b), and (3)(a)**
4 **shall enroll in at least one course at the school in which he is enrolled full time."**

5 AMENDMENT NO. 90

6 On page 30, line 9, after "§4002.6." and before "providers" change "Per course" to
7 "Course"

8 AMENDMENT NO. 91

9 On page 30, line 10, after "The" delete the remainder of the line and insert "course provider
10 **shall receive a course amount for each**"

11 AMENDMENT NO. 92

12 On page 30, lines 12 and 21, before "course" delete "per"

13 AMENDMENT NO. 93

14 On page 30, at the beginning of line 24, after "(3)" and before "amount" change "An" to
15 "**For each student identified in R.S. 17:4002.3(2)(a) and (2)(b), an**"

16 AMENDMENT NO. 94

17 On page 30, line 26, after "which" and before "student" change "the eligible funded" to
18 "such"

19 AMENDMENT NO. 95

20 On page 31, delete lines 2 through 11 and insert the following:

21 **"(4) For students identified in R.S. 17:4002.3(3)(c), the course**
22 **provider shall receive payment only for the courses in which the student**
23 **is enrolled in accordance with Subsection C of this Section. The**
24 **remaining funds for each of these students up to the maximum amount**
25 **for the parish in which the participating student resides as determined**
26 **each year by the minimum foundation program or actual tuition and**
27 **fees, as applicable, shall remain with the participating school in which**
28 **the student is enrolled in accordance with R.S. 17:4011 through 4025."**

29 AMENDMENT NO. 96

30 On page 31, line 25, after "which the" and before "course" delete "per"

31 AMENDMENT NO. 97

32 On page 31, line 27, after "of the" and before "course" delete "per"

33 AMENDMENT NO. 98

34 On page 31, line 29, change "exiting" to "leaving school pursuant to R.S. 17:221"

35 AMENDMENT NO. 99

36 On page 32, at the beginning of line 1, after "(3)" and before "The" delete the period ":

1 AMENDMENT NO. 100

2 On page 33, line 24, between "**is**" and "**Each**" change "**located.**" to "**located or in a school**
3 **under the jurisdiction of the Recovery School District.**"

4 AMENDMENT NO. 101

5 On page 33, line 25, between "**system**" and "**shall conduct**" insert "**or the Recovery School**
6 **District**"

7 AMENDMENT NO. 102

8 On page 33, line 29, after "**on**" delete the remainder of the line and insert "**October first and**
9 **on February first of the most recent school year pursuant to the definition of student**
10 **membership established by the state board for purposes of the minimum foundation**
11 **program formula.**"

12 AMENDMENT NO. 103

13 On page 34, line 29, between "**grade**" and "**and**" delete the comma "," and insert "**and**
14 **whether the school elects to offer an enrollment preference to a student based on the**
15 **parish in which the student resides.**"

16 AMENDMENT NO. 104

17 On page 35, between lines 20 and 21, insert the following:

18 "**(iv) Students residing in the parishes as indicated pursuant to the notice**
19 **of intent, if applicable.**"

20 AMENDMENT NO. 105

21 On page 36, line 2, after "**filled**" delete the remainder of the line and insert "**according to**
22 **the time line established by the department.**"

23 AMENDMENT NO. 106

24 On page 37, at the beginning of line 16, after "A." change "**The state**" to "The **state**"

25 AMENDMENT NO. 107

26 On page 37, line 18, after "**per**" and before "**to**" change "**student**" to "**pupil**"

27 AMENDMENT NO. 108

28 On page 37, at the beginning of line 19, change "**participating student**" to "**scholarship**
29 **recipient**"

30 AMENDMENT NO. 109

31 On page 37, at the beginning of line 24, change "**If**" to "**For a participating school that**
32 **charges tuition, if**"

33 AMENDMENT NO. 110

34 On page 37, line 27, after "**per**" and before "**to**" change "**student**" to "**pupil**"

35 AMENDMENT NO. 111

36 On page 37, line 29, after "**local**" and before "**school**" delete "**public**"

- 1 AMENDMENT NO. 112
- 2 On page 38, at the beginning of line 4, delete "**public**"
- 3 AMENDMENT NO. 113
- 4 On page 38, delete lines 6 through 8
- 5 AMENDMENT NO. 114
- 6 On page 38, at the beginning of line 14, change "C." to "**B.(1)**"
- 7 AMENDMENT NO. 115
- 8 On page 38, at the beginning of line 23, change "**(1)**" to "**(a)**"
- 9 AMENDMENT NO. 116
- 10 On page 38, line 26, after "**attending.**" delete the remainder of the line and delete line 27
- 11 AMENDMENT NO. 117
- 12 On page 38, at the beginning of line 28, change "**(2)(a)**" to "**(b)**"
- 13 AMENDMENT NO. 118
- 14 On page 39, line 3, after "**participating**" and before "**school**" insert "**nonpublic**"
- 15 AMENDMENT NO. 119
- 16 On page 39, at the end of line 5, between "**the**" and "**nonpublic**" insert "**participating**"
- 17 AMENDMENT NO. 120
- 18 On page 39, line 6, at the beginning the line delete "**participating**" and the end of the line
- 19 between "**the**" and "**nonpublic**" insert "**participating**"
- 20 AMENDMENT NO. 121
- 21 On page 39, at the beginning of line 7, delete "**participating**"
- 22 AMENDMENT NO. 122
- 23 On page 39, at the beginning of line 8, change "**Subsections (A) and (B)**" to "**Subsection**
- 24 **A**"
- 25 AMENDMENT NO. 123
- 26 On page 39, delete lines 12 through 14 in their entirety and insert the following:
- 27 **"(2) To offer special education services pursuant to Subparagraph (1)(b)**
- 28 **of this Subsection, a participating nonpublic school shall meet all of the**
- 29 **following criteria:**"
- 30 AMENDMENT NO. 124
- 31 On page 39, at the beginning of line 15, change "**(i)**" to "**(a)**"
- 32 AMENDMENT NO. 125
- 33 On page 39, line 22, after "**Plan**" insert a period "." and delete the remainder of the line and
- 34 delete lines 23 through 26 in their entirety and insert the following:

1 **"(b) In accordance with time lines as determined by the department,**
2 **inform the department of the types of student exceptionalities as defined in R.S.**
3 **17:1942(B) that the school is willing to serve."**

4 AMENDMENT NO. 126

5 On page 39, at the beginning of line 27, change "D." to "**C.**"

6 AMENDMENT NO. 127

7 On page 40, line 1, after "**local**" and before "**school**" delete "**public**"

8 AMENDMENT NO. 128

9 On page 40, line 5, after "**local**" and before "**school**" delete "**public**"

10 AMENDMENT NO. 129

11 On page 40, line 6, after "**local**" and before "**school**" delete "**public**"

12 AMENDMENT NO. 130

13 On page 40, line 13, after "shall" delete the remainder of the line and delete lines 14 through
14 16 and insert the following:

15 "~~remit transfer~~ scholarship payments ~~directly~~ to each participating school on
16 behalf of the ~~parent or other legal guardian of a scholarship recipient. The~~
17 ~~parent or other legal guardian shall assign the full value of the scholarship to~~
18 ~~the participating school~~ **responsible local public school system.**"

19 AMENDMENT NO. 131

20 On page 42, at the beginning of line 1, change "(3)(a)" to "(3)"

21 AMENDMENT NO. 132

22 On page 42, line 2, between "been" and "for" delete "in operation" and insert "**approved,**
23 **provisionally approved, or probationally approved**"

24 AMENDMENT NO. 133

25 On page 42, delete lines 4 through 10 in their entirety and insert the following:

26 "~~(b) The department may grant a waiver of this requirement to a~~
27 ~~participating school if the governing authority of such school demonstrates~~
28 ~~a proven record of successful operation of other schools."~~